

REMARKS

Claims 10-17, 22, and 24-38 were pending in the application. Claims 16 and 33 have been amended. No claims have been canceled. No new matter has been added. Therefore, claims 10-17, 22, and 24-38 are now pending in the application. Reconsideration of the application is respectfully requested for at least the reasons that follow.

Applicant appreciates the acknowledgement that claims 16 and 33 contain allowable subject matter. Applicant has rewritten claims 16 and 33 in independent form and submits that claims 16 and 33 are now in prima facie condition for allowance.

Prior Art Rejections

Claims 10-14, 22, 24, 27-31 and 35: Skuratovsky

Claims 10-14, 22, 24, 27-31 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,792,206 (“Skuratovsky”). Applicant traverses these rejections for at least the reasons that follow.

Independent claim 10 recites an apparatus for protecting a protruding component with a “housing part to which the protruding component is connected, an impact detection element movably connected to the housing part, [and] a light source coupled to the housing.” The rejection of claim 10 should be withdrawn at least because Skuratovsky fails to disclose, teach, or suggest the claimed elements. For example, Skuratovsky fails to disclose, teach or suggest a “housing part to which the protruding component is connected, [or] an impact detection element movably connected to the housing part,” as recited by claim 10. Skuratovsky merely teaches a method and apparatus for aligning fiber optic cables with a fixed member (30), fiber optic cables (12, 14), a light source (42), and a light receiver (46). Skuratovsky does not disclose a protruding component. The Office Action states that reference numeral 12 is the protruding component. Applicant disagrees. Reference numeral 12 is a fiber optic cable that transmits the light source (42). The fiber optic cable is not a protruding component to be protected. Furthermore, Skuratovsky fails to disclose an impact detection element “movably connected to the housing.” The Office Action states that Skuratovsky discloses an impact detection element (A). However, Skuratovsky merely

describes that end section (24) is attached to a movable body that is not shown; there is no description of an impact detection element. Furthermore, the movable body of Skuratovsky is attached to the end section 24, *not* to the fixed member 30. Thus, even assuming *arguendo* that the movable body (A) is an impact detection element, the movable body is not “movably connected to the housing part,” as required by claim 10. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 11-14, and 22 depend from claim 10 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations set forth in these dependent claims.

Independent claim 24 contains limitations similar to claim 10. For example, claim 24 recites “an impact detection element movably connected to a housing part,” which is not disclosed, taught, or suggested by Skuratovsky. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Independent claim 27 recites an apparatus for protecting a protruding component with “a housing part to which the protruding component is connected, [and] an impact detection element movably connected to the housing part.” The rejection of claim 27 should be withdrawn because Skuratovsky fails to disclose, teach, or suggest the claimed invention. As stated above, Skuratovsky does not disclose a “protruding component” or “an impact detection element movably connected to the housing part,” as required by claim 27. Furthermore, Skuratovsky fails to disclose, teach, or suggest “a light source coupled to the impact detection element defining an emission surface, and a receiving element coupled to the housing part defining a receiving surface arranged opposite the emission surface of the light source,” as recited by claim 27. The light source (42) of Skuratovsky is coupled to the fiber optic cable (12) and the fixed member (30), *not* an impact detection element. In addition, the light receiver (46) and end section (38) of cable (14) are not coupled to the fixed housing (30). Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 28-31, and 35 depend from claim 27 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations set forth in these dependent claims.

Claims 15 and 32: Skuratovsky in view of GB '359

Claims 15 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skuratovsky in view of GB 2185359 ("GB '359"). Applicant traverses these rejections for at least the reasons that follow.

Claim 15 depends from claim 10. Skuratovsky and Eno, whether taken separately or together, fail to disclose, teach, or suggest the claimed invention. As stated above, Skuratovsky fails to disclose, teach, or suggest the elements of claim 10. GB '359 fails to cure the deficiencies of Skuratovsky. For example, GB '359 does not disclose, teach, or suggest a "housing part to which the protruding component is connected, [or] an impact detection element movably connected to the housing part," as required by claim 15. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 32 depends from claim 27. Skuratovsky and Eno, whether taken separately or together, fail to disclose, teach, or suggest the claimed invention. As previously stated, Skuratovsky fails to disclose, teach, or suggest the elements of claim 27. GB '359 fails to cure the deficiencies of Skuratovsky. For example, GB '359 does not disclose, teach, or suggest a protruding component, "an impact detection element movably connected to the housing part, a light source coupled to the impact detection element defining an emission surface, and a receiving element coupled to the housing part defining a receiving surface arranged opposite the emission surface of the light source," as required by claim 32. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 24-26 and 36-38: Skuratovsky in view of Eno

Claims 24-26 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skuratovsky in view of U.S. Patent No. 5,422,969 ("Eno"). Applicant traverses these rejections for at least the reasons that follow.

Independent claim 24 recites a contact sensor comprising “an impact detection element movably connected to a housing part.” The rejection of claim 24 should be withdrawn because the references, either taken separately or together, fail to disclose, teach, or suggest the claimed invention. As previously stated, Skuratovsky fails to disclose, teach, or suggest the elements of claim 24. Eno fails to cure the deficiencies of Skuratovsky. For example, Eno does not disclose, teach, or suggest “an impact detection element movably connected to a housing part,” as recited by claim 24. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 25 and 26 contain patentable limitations similar to claim 24. For example, claims 25 and 26 recite “an impact detection element movably connected to the housing part,” which is not disclosed by Skuratovsky or Eno, either separately or in combination. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejections.

Independent claim 36 recites a contact sensor with an impact detection element, a light source and a receiving element. The rejection should be withdrawn at least because the references, either taken separately or together, fail to disclose the claimed invention. As stated above, Skuratovsky fails to disclose, teach, or suggest “an impact detection element movably connected to the housing part, a light source coupled to the impact detection element defining an emission surface, and a receiving element coupled to the housing part defining a receiving surface arranged opposite the emission surface of the light source,” as recited by claim 36. Eno fails to cure the deficiencies of Skuratovsky. For example, Eno does not disclose, teach, or suggest “an impact detection element movably connected to the housing part, a light source coupled to the impact detection element defining an emission surface, and a receiving element coupled to the housing part defining a receiving surface arranged opposite the emission surface of the light source,” as recited by claim 36. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 37 and 38 contain patentable limitations similar to claim 36. For example, claims 37 and 38 recite “an impact detection element movably connected to the housing part, a light source coupled to the impact detection element defining an emission surface, and a receiving element coupled to the housing part defining a receiving surface arranged opposite

the emission surface of the light source,” which is not disclosed, taught, or suggested by Skuratovsky or Eno, either separately or together. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 17 and 34: Skuratovsky in view of Lord

Claims 17 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skuratovsky in view of U.S. Patent No. 5,502,301 (“Lord”). Applicant traverses these rejections for at least the reasons that follow.

Claim 17 depends from claim 10. The rejection of claim 17 should be withdrawn because the references, whether taken separately or together, fail to disclose, teach, or suggest the claimed invention. Skuratovsky fails to disclose, teach, or suggest the elements of claim 10. Lord fails to cure the deficiencies of Skuratovsky. For example, Lord does not disclose, teach, or suggest a “housing part to which the protruding component is connected, [or] an impact detection element movably connected to the housing part,” as required by claim 17. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 34 depends from claim 27. The rejection of claim 34 should be withdrawn because the references, whether taken separately or together, fail to disclose, teach, or suggest the claimed invention. Skuratovsky fails to disclose, teach, or suggest the elements of claim 27. Lord fails to cure the deficiencies of Skuratovsky. For example, Lord does not disclose, teach, or suggest a protruding component or “an impact detection element movably connected to the housing part, a light source coupled to the impact detection element defining an emission surface, and a receiving element coupled to the housing part defining a receiving surface arranged opposite the emission surface of the light source,” as required by claim 34. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 13, 2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5426
Facsimile: (202) 672-5399

By Thomas A. Scherba Reg. No. 43438
for Glenn Law
Attorney for Applicant
Registration No. 34,371